

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR REDUCING ECHO IN A COMMUNICATION SYSTEM

the specification of which

- is attached hereto.
- was filed on _____
as U.S. Application Serial No. _____
- was filed on _____
as PCT International Application No. _____

and (if applicable) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §§1.56(a) and (b), which state:

- "(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) prior art cited in search reports of a foreign patent office in a counterpart application,
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
- (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability."

I hereby claim foreign priority benefits under 35 United States Code, §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing of this application:

PRIOR FOREIGN APPLICATION(S)

<u>Number</u>	<u>Country</u>	<u>Filing Date</u> <i>(Day/Month/Year)</i>	<u>Date First Laid-open or Published</u>	<u>Date Patented or Granted</u>	<u>Priority Claimed?</u>
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I hereby claim the benefit under 35 United States Code, §119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>Filing Date</u>
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

PRIOR U.S. OR PCT APPLICATION(S)

<u>Application No.</u>	<u>Filing Date</u> <i>(day/month/year)</i>	<u>Status</u> <i>(pending, abandoned, granted)</i>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following patent agents with full power of substitution, association and revocation to prosecute this application and/or international application and to transact all business in the Patent and Trademark Office connected therewith:

Robert Neuner, Reg. No. 24,316;
Richard G. Berkley, Reg. No. 25,465;
Bradley B. Geist, Reg. No. 27,551;
James J. Maune, Reg. No. 26,946;
Henry Tang, Reg. No. 29,705;
Robert C. Scheinfeld, Reg. No. 31,300;
Rochelle K. Seide, Reg. No. 32,300;
Gary M. Butter, Reg. No. 33,841;
Lisa B. Kole, Reg. No. 35,225;
Paul A. Ragusa, Reg. No. 38,587;
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Kimberly McGraw, Reg. No. 50,994;
Carmella Stephens, Reg. No. 41,328;
Paul Ackerman, Reg. No. 39,891;
Gary Abelev, Reg. No. 40,479;
Manu Tejwani, Reg. No. 37,952;
Eliot Williams, Reg. No. 50,822;
Robert Maier, Reg. No. 54,291;
Walter Egbert, Reg. No. 37,317;
Eric J. Faragi, Reg. No. 51,259;
Marc Gagnon, Reg. No. 51,273;
S. Serge Shahinian, Reg. No. 52,533;
Sanro Zlobec, Reg. No. 52,535

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1) INVENTOR'S SIGNATURE:

Date: Nov 21st 2003

Inventor's Name: Thomas Jefferson AWAD
(First) (Middle) (Family Name)

Country of Citizenship: CANADA

Residence: Kirkland, Quebec, CANADA
(City, Province, Country)

Post Office Address: 80 L'audelin, Kirkland, Quebec H9J 2J6, CANADA

2) INVENTOR'S SIGNATURE:

Martin Laurence Date: Nov 21st 2003

Inventor's Name: Martin LAURENCE
(First) (Middle) (Family Name)

Country of Citizenship: CANADA

Residence: Montreal, Quebec, CANADA
(City, Province, Country)

Post Office Address: 5190-1 De Montana, Montreal, Quebec H2J 3C4, CANADA

3) INVENTOR'S SIGNATURE:

Pascal Gervais Date: 2003-11-21

Inventor's Name: Pascal GERVAIS
(First) (Middle) (Family Name)

Country of Citizenship: CANADA

Residence: Montreal, Quebec, CANADA
(City, Province, Country)

Post Office Address: 9925 Peloquin, Montreal, Quebec H2C 2J7, CANADA

UNITED STATES

ASSIGNMENT

Docket No. _____

WHEREAS, the below named inventor, ASSIGNOR, has made a certain new and useful invention in:
METHOD AND APPARATUS FOR REDUCING ECHO IN A COMMUNICATION SYSTEM

for which

(check one) an application is being filed concurrently herewith,
 an application for a Patent of the United States was filed on
_____ and given Application Serial No. _____

and WHEREAS, OCTASIC INC.

having a place of business at: 4101 Molson Street, Suite 300
Montreal, Quebec H1Y 3L1, CANADA

ASSIGNEE

is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said ASSIGNOR, has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventor's certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

ASSIGNOR authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR covenants and agrees that he has full right to convey the entire interest herein assigned, and has not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR further covenants and agrees that he will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

Tel que convenu par le cessionnaire et le cédant, cette cession a été rédigée en anglais.
As agreed by both the assignee and the assignor, this assignment has been drawn up in English.

Full name of sole or first inventor: Thomas Jefferson AWAD
First inventor's signature: Thomas Jefferson Date: NOV 21st 2003
Residence: 80 Daudelin, Kirkland, Quebec H9J 2J6, CANADA
Citizenship: Canadian
Post Office Address: Same as above

Full name of sole or second inventor: Martin LAURENCE Second
inventor's signature: Martin Laurence Date: NOV 21st 2003
Residence: 5190-1 De Martana, Montreal, Quebec H2J 3C4, CANADA
Citizenship: Canadian
Post Office Address: Same as above

Full name of sole or third inventor: Pascal Marcel GERVAIS
Third inventor's signature: Pascal Gervais Date: 2003-11-21
Residence: 9925 Peloquin, Montreal, Quebec H2C 2J7, CANADA
Citizenship: Canadian

DECLARATION OF WITNESS

I, DOUGLAS MORRISSEY, whose full post office address is 719 HARTLAND, OUTREMONT, QUEBEC H2V 2X5, CANADA, hereby declare that I was personally present and did see Thomas Jefferson AWAD, Martin LAURENCE and Pascal Marcel GERVAIS, who are personally known to me, duly sign and execute the above assignment.

DECLARED at 4101 MOLSON ST., MONTREAL, QUEBEC

this 21 day of NOVEMBER, 2003

Douglas Morrissey
WITNESS